

## MINUTES

SALINA CITY PLANNING COMMISSION  
CITY COMMISSION ROOM  
January 17, 2006 4:00 PM.

### MEMBERS

PRESENT: Funk, Mikesell, Ritter, Schneider, Simpson, Soderberg, and Yarnevich

### MEMBERS

ABSENT: Wiesel

DEPARTMENT STAFF: Andrew, Burger, Jeanfreau and Johnson

#### #1. Approval of the regular minutes of December 20, 2005.

Minutes of the regular December 20, 2005 meeting were approved as presented.

Mr. Schneider arrived at this time.

#### #2. Application #Z05-13, filed by Craig Piercy, requesting a change in zoning district classification from A-1 (Agricultural) to R-2 (Multi-Family Residential) on a vacant 3.22 acre tract of land located on the west side of South Ohio Street between Burr Oak Lane and Neal Avenue.

Mr. Andrew gave the staff report which is contained in the case file.

Mr. Andrew stated I will let Brad Johnson tell you just where we are in the process with the planned widening of South Ohio Street in terms of design plans and time frames.

Mr. Johnson stated thank you Dean. The schedule for the South Ohio project is it is scheduled for a KDOT bid letting in the summer of 2007 so we are about a year and a half out from the beginning of construction. We just completed field check which is when KDOT comes out and we kind of do a project walk through. We have reviewed the design with KDOT and they are on board with the project so we are moving forward and look to be acquiring property in the coming months.

Mr. Simpson asked when that is done will that be a divided two lanes or will there be any kind of a center strip?

Mr. Johnson stated it will just be a four lane like it is north of Magnolia.

Mr. Simpson asked so these properties will have ingress and egress from either direction then?

Mr. Johnson stated correct. Obviously one direction is more challenging than the other but they would have ingress and egress.

Mr. Andrew stated Brad the only place where any kind of turn lane is planned would be at the Schilling Road intersection is that correct?

Mr. Johnson stated correct and we would tie into Magnolia Road south of the intersection where there's actually a wider section I think five lanes of traffic there, we would tie into that and transition down to four lanes and when we get to Schilling Road we would transition back out.

Mr. Andrew stated that leads us to discussion about the design for this cul-de-sac street. If you recall some of our discussions on the Quail Meadows project was about the fact that while the land use, the use itself of townhomes may be compatible, we had some discussion as we looked at accommodating a townhome plan of what we are seeing mostly is townhomes where the

residents want two car garages and they want double wide driveways and the challenge of doing that. It works just fine on the rectangular lots there but it does not work so well on the lots around the cul-de-sac. You've got a pie shaped lot and it's narrow in front and you've also got to accommodate things like fire hydrants, mailboxes and street light poles and so the concern we have is that if there is a possibility for townhomes we think that the planning for the footprint and the layout of the driveway need to be done now as opposed to having you act on the plat and then find out that the driveways won't fit. What we ended up doing on Quail Meadows was we ended up eliminating one lot and then spreading that front footage over other lots to widen them out enough to get the driveways and the townhome plan to fit. If we did that here and we ended up with 11 lots instead of 12 it also has some implications for the applicant because if you have 11 lots that's one fewer lot to spread the cost of water improvements, sewer extensions and street paving over so there are some implications of making that determination. The plan is for the applicant to extend the water and sewer and build the street publicly as a special assessment project meaning the cost would be spread over right now the 12 lots and so that would be the primary cost and this property would also be subject to a park impact fee of \$200.00 per dwelling unit for single family homes, it would be \$150.00 for townhomes. Again all the utilities would be public, the street is intended to be public. The other thing we noted was we had a lot of discussion about how on the rest of Ohio, except for south of here, the right-of-way extends 50 ft. from the center line and that is the standard in the subdivision regulations for the city and usually we would have a section line and 50 ft. here. Because we are going to offset Ohio Street and because this was part of the original Bonnie Ridge subdivision and we have 30 ft. here we are recommending leaving the existing 30 ft. in tact for the right-of-way. So Mr. Piercy would not be asked to dedicate any additional right-of-way then the 30 ft. that is already there so we will be getting the additional right-of-way on the east side to accommodate that project. I think the only thing we had related to the plat is that the engineer is showing the rear yards being used for drainage but they are designated as utility easements so we would recommend those be utility and drainage easements. The other item that relates to this is that the City paid for the drainage rights for the Knox Sandpit and the arrangement for the subdivisions that don't detain their water is that they can drain their runoff into the Knox Sandpit but they would have to pay the City of Salina a fee to drain into the sandpit to reimburse the City for our cost of securing those drainage rights. So that would be a fee that would be applicable as well. We came up with an estimate of \$2782.00 and that's a pretty reasonable trade because it would certainly cost a lot more in land, you'd give up a lot more land to have a detention basin. So our recommendation on the plat itself is that we are not able at this time to say we think the 12 lot layout will work for townhomes and townhomes with double driveways if that is what is being proposed. So the reason that we think these are so closely linked is obviously we think the layout will work for single family homes. The question is if you take Lot 8 of the pie shaped lots or Lot 4 will you be able to get a townhome of the size that people are wanting and be able to fit double wide driveways around that cul-de-sac for this particular layout. We think that the applicant needs to look at that and do some planning in the way of the actual footprint of townhomes and how the driveways would fit in their before we could have confidence that this layout would actually work. If the applicant is satisfied with R-1 zoning single family only, we think this plat layout would work. If he is requesting R-2 to have townhomes on every lot then we think that some additional information needs to be provided and looked at before we can say with confidence that this layout will accommodate two unit townhomes. So with that I will be happy to address any questions you have either about the zoning request or the layout that you have in front of you.

Mrs. Yarnevich asked would it affect it if you did one or two on the cul-de-sac as single family dwellings would that make a difference?

Mr. Andrew stated it would make a difference in terms of you wouldn't have the driveway issue because most of our townhomes are quite a bit wider across when you are accommodating two units and the two double car garages. I

don't believe from our discussions with the applicant that he would like to mix, in other words have townhomes on one stretch and then have single family around the cul-de-sac. That would be allowed if you have R-2 zoning and that would be a possibility to limit those to single family homes but that would have to be something that the applicant would agree to, if not then we still think that layout and driveway plan should be looked at before we could say that those lots will work for that.

Mr. Simpson asked are there other questions for Dean or other staff members?

Mrs. Soderberg asked what were the requirements for off-street parking again?

Mr. Andrew stated for a townhome you have to provide four off street spaces per lot so what you are looking at usually is that in many cases if you have a two car garage on each side that is going to accommodate that, it's just that most people who have that they don't want to have the tapered driveway where it's narrower in front. You could have a narrower driveway in front and when you line up two garages side by side you are looking at probably 48 ft. of width and some of these have barely 48 ft. at the street so what you want to do is not have the edges overlapping on each other so you don't have any place to put mailboxes or hydrants or light poles. That is the primary concern but you are looking at if you have two spaces in each garage then you are going to meet your four space requirement.

Mrs. Soderberg asked but if you only have a single car garage?

Mr. Andrew stated then you are looking at having to count a space in the driveway so then you have two enclosed spaces and then you are going to have to have two in the open and we are just not seeing in the single family market or in the townhome areas, you are just not seeing people building garages that aren't two car garages. What we are seeing for the most part on townhomes is that the driveways with two 24 ft. garages are 48 ft. wide because they want to be able to have a straight shot in and out of the garage and make sure that will in fact work. It also depends on whether you have the garages together or some have the garages on the outside with a central courtyard in the middle and then that makes the width of the driveway greater so that's the type of thing that we think needs to be looked at and worked through with the applicant before we can sit here and say yes this layout will work for townhomes. When we hear discussion about eliminating one lot down to 11 that is best done before the final layout is approved.

Mrs. Soderberg stated I guess just philosophically is it our responsibility to deny something because we think people don't want a single car garage, that that's not what's selling in Salina? I am not clear where our responsibility ends there.

Mr. Andrew stated I think if you just look at purely the lot square footage and everything else with this layout with 12 could you build townhomes on those lots? The answer is yes but the question is whether you've laid them out in a way that is suitable for two car garages. What I mean is only Mr. Piercy knows, either he's talked to people who want to build townhomes or he has in his own mind thoughts about what kind of townhomes would be built. With one car garages that would allow that to work so we are not necessarily trying to dictate that but from our standpoint planningwise it is better to discuss that now then to have this approved, have the lots be sold and then have a number of City staff people out in the field with tape measures trying to figure out how to make something work. Mr. Piercy is going to try to market these lots and he knows what he is going to try to market them for. What we would like to do is have that thought through now more so than have that dictated later where one of us tells him he can only have one car garages because his response might be well if I knew that maybe I would have just platted 11 lots instead. We are just raising the question now.

Mr. Simpson asked any other questions or comments at this point? Seeing none, I will ask the applicant or his representative to please address the Commission.

I am Thad Reynolds with Landmark Surveying and Mapping representing Craig Piercy. I just have one comment or question directed at Dean. Is it your recommendation if the zoning application was amended to R-1 would it be recommended that the final plat be approved being R-1.

Mr. Andrew stated yes I think the layout works fine if it were limited to single family only, our only concern would be if it were R-2 and we were looking at having townhomes on every lot around the cul-de-sac that would be our only item of concern. If we were looking at R-1 zoning that limited every lot to a single family home we think the plat layout works fine.

Mr. Reynolds stated that is something that we would definitely consider is amending the zoning application to R-1 to make the project move a little smoother and faster.

Mr. Simpson stated ok I guess that is your decision and you understand the limitations then of the R-1 as opposed to the R-2 so you are committing yourself to single family dwellings on those 12 lots.

Mr. Reynolds stated that's right.

Mr. Simpson stated ok are there any questions of the applicant and his representative? Would anyone else care to address this application? Seeing none, we will bring it back to the Commission for discussion and action.

MOTION: Mrs. Yarnevich stated I move we approve Application #Z05-13 and rezone the property R-1.

SECOND: Mr. Ritter

Mr. Simpson asked are there any other questions or comments?

Mrs. Soderberg asked on R-1 the minimum lot width is 60 ft. instead of 50 ft. and that's available for all of these is that correct?

Mr. Andrew stated yes on a cul-de-sac like this we measure at the building line. On most cul-de-sacs we measure the width here (the setback line) instead of here the (front lot line) and so you have to have 60 ft. of available building width at the building line which is the setback line. On a pie shaped lot you are often not going to get 60 ft. out at the street but R-1 would be the difference but that just limits the number of units and the number of parking spaces but that is the primary differences is the 60 ft. versus 50 ft.

Mrs. Soderberg asked and do we need to indicate anything about the radius of the cul-de-sac, that that needs to be changed?

Mr. Andrew stated that is going to be a comment from Mr. Johnson to the design engineer.

Mr. Johnson stated I think on the cul-de-sac radius the platted right-of-way radius is correct at 50 ft., it's the curb and gutter radius so that would be addressed more on the infrastructure plan review and we have already provided those comments to the design engineer.

Mr. Andrew stated what they did on this plan if you are measuring from here to here is 50 ft. and their plan showed a paved circle inside that has a 35 ft. radius and it needs to be 45 ft. in order to have an adequate turnaround but that will fit within the space that's there I think the only thing we thought was noteworthy was that all the utility easements on the plat need to be labeled as utility and

drainage easements to accommodate the rear yard drainage so that was really the only comment we had on the plat itself.

Mr. Simpson asked any other questions or comments? We appear to be ready to vote on the zoning change.

VOTE: Motion carried 7-0.

#3. Application # P05-5/5A, filed by Craig Piercy, requesting approval of a combined preliminary/final plat of the Piercy Addition, a proposed 12 lot residential subdivision on a 3.22 acre tract of land located on the west side of South Ohio Street between Burr Oak Lane and Neal Avenue.

Mr. Andrew stated we had kind of a back up plan in case of the agreement to go to R-1 which would take the driveway question off the table. Our recommendation would be approval of the plat as shown with the condition that all of the utility easements be labeled as utility and drainage easements.

Mr. Simpson asked do I hear a motion?

MOTION: Mrs. Yarnevich stated yes, I move we approve Application # P05-5/5A with the condition that on the plat the drainage and utility easement be marked together.

SECOND: Mr. Mikesell

Mr. Simpson asked any further questions or comments? It appears we are ready to vote.

VOTE: Motion carried 7-0.

#4. Application # Z96-8F, filed by KMO Development Group, requesting final site plan approval to allow construction of a Taco Bueno restaurant on property legally described as Lot 5, Block 2 of the Riffel Addition to the City of Salina, Saline County, Kansas (aka 3049 Riffel Drive).

Mr. Andrew gave the staff report which is contained in the case file.

Mr. Simpson asked are there any questions of Dean or staff? If not we will ask the applicant to please address the Commission. State your name and address please.

My name is Tom Duncan I am a project manager for KMO Development Group in Tulsa. The address is 224 East 8<sup>th</sup> Street in Tulsa, OK. Zip code is 74119. I have to tell the committee that the feeling is mutual with regards to our working relationship with your Planning Department. I do this kind of development all over the United States and it's been a real pleasure to work with your staff. They know exactly what they want, they are very responsive in terms of information and very timely in the whole process and that makes my life a lot easier. The curb line modification that we talked about in item 1 is not an issue for us. We can make that modification without any trouble at all and so as Mr. Andrew requested we will be glad to make that modification on our final site plan. As you can tell by the elevation drawings the color is kind of hard to give you the true representation of material. It is basically stucco, a southwest look. It is fairly colorful not garish but it does have a lot of curb appeal. This will be the first Taco Bueno in the state of Kansas I believe. Taco Bueno just started franchising the first of last year and so they don't have a lot of franchise operations now. The only stores that are currently in the market, most of them are corporate owned stores in both Oklahoma and Texas markets. So they are now franchising their concept and so this will be the first one in Kansas so we are excited about getting this project started. It is a 92 seat restaurant with drive through window. It is approximately, oh at times depending on how efficient they can operate the drive thru, they can push 60% of their traffic through that drive thru if operated properly and can do quite a volume that way without

additional parking on site. It is actually a double window. There are two cash registers inside that window rather than having two separate windows so it operates essentially the same way. It is a very efficient design, of course they have been doing these for a number of years so you would hope that they have all that figured out by now. You know we do have some pride in this at KMO from a corporate standpoint because this is the first restaurant concept that we are actually the franchisee for. We bought this franchise for the Kansas market because we felt like this was a very viable and long term franchise program that we wanted to be apart of, most of the time we just do third party development, but in this case we purchased a franchise in Kansas and also in Charlotte and so we are looking forward to getting our first corporate store. I would be glad to answer any questions you might have about it.

Mr. Simpson asked are there any questions of Mr. Duncan?

Mrs. Soderberg asked so why do I want to go to Taco Bueno?

Mr. Duncan stated well its bueno. I can't tell you why other than the fact you just need to try it and you decide on your own. I will tell you this from doing a lot of quick service restaurants and we like to be involved with the ones that do a lot of on-site food preparation because we just think the food is substantially better and is appreciated more by the consumer and Taco Bueno is that kind of restaurant. The refried beans they make in big kettles every day, every morning in the store. All the items that they serve on the menu are made fresh on site on a daily basis and we think it is a very good value for your money and it is a very good product.

Mr. Mikesell stated I don't mean to contradict you Mr. Duncan but I ate at Taco Bueno in the Topeka service area on the way home from Kansas City yesterday so there is one in the state but to answer Sidney's question it was very good.

Mr. Funk asked how many stores do you have in Texas and Oklahoma?

Mr. Duncan stated sir I really don't know the count I would estimate that there are in the area of 85 stores operating at this time. I could be a little low, they could have a few more than that. They do those corporately since those were all corporate markets, both of those are corporate markets, I think that they do about 10 stores a year on average is what they plan to open now and in the future. So those markets will continue to be built out but everything else will be franchised out in the future.

Mr. Mikesell asked since we already went through this with the previous applicant for this location and the question came up what is your average time of wait between cars. How long does it take to service a car when it comes through the drive thru?

Mr. Duncan stated I don't know. I have never operated one of these things. I have sat in line. It doesn't take very long it seems like. I would think that on average the time from when you place your order to the time you get delivery on your food is 3 and half minutes is what they shoot for. It has a whole lot to do with who's operating the kitchen and how fast they push it out the window. We have a very qualified operator who works for us that will be managing the store so I would imagine the delivery time would be very quick.

Mr. Simpson asked any more questions or comments?

Mrs. Soderberg stated I am sure the newspaper is going to want to talk to you further about how wonderful our staff has been to work with.

Mr. Duncan stated I would be glad to comment on that.

Mr. Simpson asked alright anyone else care to address this application. There appears to be none so we will bring it back for discussion and action.

Mr. Mikesell stated Mr. Chairman I would like to make a motion to approve Application #Z96-8F for Taco Bueno.

Mrs. Yarnevich asked with the 4 conditions that are listed?

Mr. Mikesell stated with the conditions, including the modification of the driveway.

Mr. Yarnevich stated under the staff recommendations there are 4, does your motion include those?

Mr. Mikesell stated yes it does.

SECOND: Mrs. Yarnevich

Mr. Simpson asked are there any more questions or comments?

VOTE: Motion carried 7-0.

#5. Review of 2005 Annual Report.

Mr. Andrew presented the 2005 Annual Report which is contained in the case file. He indicated that if there were no additions, revisions or corrections he would forward it to the City Commission.

Item #5. Other Matters.

Mr. Andrew stated I think we will not have any specific cases for February 7<sup>th</sup> but I think there are a couple of these issues that are on our goals list that we would like to go over with you. That may result in a study session and no regular meeting but I think a couple of these items that are on our planning goals we would like to give you some additional information about. Certainly we are working right now to completely remap the City of Salina as far as the floodplain goes. That is a huge thing as far as the City of Salina. There are very few communities in the Midwest that have more, I am not saying we have more floodplain than any community, but certainly between Iowa and Nebraska, Missouri and Kansas, the City of Salina has more map amendments to our flood map than any other city in the region. We are in the midst of having the city remapped and I think a lot of area that shows as being floodplain today will not be floodplain when the new maps are done. That touches on realtors and bankers and appraisers and everybody who has to deal with that because it changes the way loans are done, it changes having a flood insurance requirement on a mortgage, it's a workload for the city staff that is helping people with those kind of questions and as a way of perspective, when we were visiting with the people coming into remap, the city of Emporia which is admittedly smaller than Salina, since 1984 they've done 13 map amendments to their flood maps. In the City of Salina we are approaching 1400 map amendments. That means 1400 individual properties that were placed in the floodplain on a map that had been removed by having a physical survey done or having some other information provided so when you think we have 16 or 17,000 individual parcels in the city to have that high of percentage of them dealing with floodplain issues is pretty high so it's not getting a lot of real high visibility but we think getting an opportunity to remap the floodplain in the city that's being done at no expense to the city we think that is a pretty major thing so that may be one item we will talk about on the 7<sup>th</sup> is explain floodplain and explain what it means to people and how this could be beneficial to get this remapping done.

Mrs. Yarnevich asked in this situation there is no property that becomes floodplain that wasn't before right?

Mr. Andrew stated it is theoretically possible but we've had some fairly good luck, our experience has been certainly taking properties out that are shown as

in but the problem of doing it that way is that it requires an individual to go out and hire a surveyor and that has to be individually mailed in and processed and if you have a subdivision that has 70 lots in it you are doing it lot by lot by lot instead of looking at it comprehensively so we have some blocks that have 24 homes and the map shows all 24 of those properties in the floodplain and all 24 have individual map amendments that have taken them out and that is just not good for the people buying and selling. It's not good for the staff that has to keep track of which of them have LOMAs so it does have some implications. If we can get some better maps and then the other thing with this is that these maps will become digital and be available just like the maps that we currently have on the city's public mapping website so that appraisers and bankers, so that everybody can get access to those maps. Right now City Planning is the only one that has those maps so there is not a lot of accessibility, you have to come in and look at them in our office to get access so we would like to talk about that a little bit with you on the 7<sup>th</sup>.

There being no further business the meeting adjourned at 4:45 p.m.

  
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Dean Andrew, Secretary

ATTEST: \_\_\_\_\_